

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. BANK, NATIONAL ASSOCIATION, in its
capacity as Trustee, JOSHUA N. TERRY, AND ACIS
CAPITAL MANAGEMENT, L.P.,

Plaintiffs,

-against-

THE CHARITABLE DONOR ADVISED FUND, L.P.,
CLO HOLDCO LTD., AND NEXPOINT
DIVERSIFIED REAL ESTATE TRUST,

Defendants.

Case No. 1:21-cv-11059 (GHW)

RULE 7.1 DISCLOSURE STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1(a)(1), Counterclaim-Defendant Highland CLO Funding, Ltd. (“HCLOF”), by and through its undersigned counsel, respectfully represents that its membership interests are owned by Highland Capital Management, L.P., HCMLP Investments, LLC, CLO HoldCo Ltd., as well as various individuals. No publicly held corporation owns 10% or more of HCLOF’s stock or membership interests.

Dated: June 8, 2023
New York, New York

AKIN GUMP STRAUSS HAUER & FELD
LLP

By: /s/ Uri A. Itkin
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